

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

FRANKLIN CALIFORNIA TAX-FREE TRUST
(for the FRANKLIN CALIFORNIA
INTERMEDIATE-TERM TAX FREE INCOME
FUND), et al.,

Plaintiffs,

v.

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Defendants.

CASE NO. 14-1518 (FAB)

DECLARATORY JUDGMENT

RESPONSE TO DEFENDANTS' MOTION TO CONSOLIDATE

TO THE HONORABLE COURT:

COME NOW Plaintiffs the Franklin Funds and the Oppenheimer Rochester Funds,¹ by and through their attorneys and respectfully represent as follows:

On August 15th, 2014, Defendants filed "Defendants' Motion for Consolidation and for Entry of Coordinated Briefing Schedule." See Dkt. 87. The Plaintiffs do not oppose Defendants' request, provided that, as stated by the Defendants at footnote 2 of their motion and as this Court has recognized, consolidation "does not alter the character of separate suits" nor does it "merge the two suits into a single cause or change the rights of the parties, or make those who are parties in one suit parties in another." *Pino-Betancourt v. Hosp. Pavia Santurce*, 928 F. Supp. 2d 393, 396 (D.P.R. 2013) (Besosa, J.) (citations omitted). Thus, consolidation should not diminish the respective substantive and procedural rights of the plaintiffs in the two consolidated suits,

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plaintiffs' Second Amended Complaint. See Dkt. 85.

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including the rights of each of those plaintiffs to file independent pleadings and otherwise to separately represent their respective clients.

WHEREFORE, the Plaintiffs respectfully request that the Court take notice that, with the clarifications stated above, the Plaintiffs have no objection to the requested consolidation.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 18th day of August, 2014.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same day, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/LINETTE FIGUEROA-TORRES

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